

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:

MICHELLE A DEBOW

NO. 22-13122 PMM
CHAPTER 13

MOTION OF CAB EAST, LLC/ FORD MOTOR CREDIT COMPANY, LLC FOR RELIEF
FROM THE AUTOMATIC STAY, BANKRUPTCY CODE
SECTION 362a re: LEASED 2020 FORD EXPLORER MOTOR VEHICLE

1. Movant is CAB East, LLC/Ford Motor Credit Company, LLC ("Ford Credit") with offices at the National Bankruptcy Service Center in Colorado Spring, Colorado.

2. Respondents are Debtor, Michelle A Debow, and the Chapter 13 Trustee, Kenneth E West, Esquire.

3. On or about November 11, 2019, Debtor leased a 2020 Ford Explorer motor vehicle [VIN...57468] ("Vehicle") pursuant to a 36 month Motor Vehicle Lease Agreement. A copy of the Lease further identifying the Vehicle is attached as Exhibit "A".

4. Pursuant to the Lease, Ford Credit is the owner and lessor of the Vehicle.

5. The Vehicle may be now, to Ford Credit's knowledge, uninsured or improperly insured, not having coverage required by the Lease.

6. Ford Credit has incurred legal expenses in protecting its interests and is seeking adequate protection of its interests which Debtor has failed to provide.

7. There remain 2 regular payments remaining on the Lease which terminated by its terms on January 11, 2023 and which is contractually due for November 15, 2022, and thereafter.

8. Regular monthly payments on the Lease are \$4568.76 each. The amount in arrears as of May 24, 2022 is \$2,150.98, plus fees and costs and the residual value.

9. The Vehicle is a depreciating asset and unless the matter is immediately resolved Ford Credit will continue to suffer irreparable harm.

10. There is no equity in the Vehicle or the Lease for Debtor or its estate, nor is the same necessary for an effective reorganization.

11. The Lease has been rejected by Debtor pursuant to this Court's Order of January 11, 2023 [Doc. 25]

WHEREFORE, CAB East, LLC/Ford Motor Credit Company, LLC prays this Honorable Court to enter an Order granting it relief from the automatic stays of Bankruptcy Code Sections 362, with waiver of FRBP 4001 (a)(3), and for such other relief as is just and equitable.

Respectfully submitted,

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